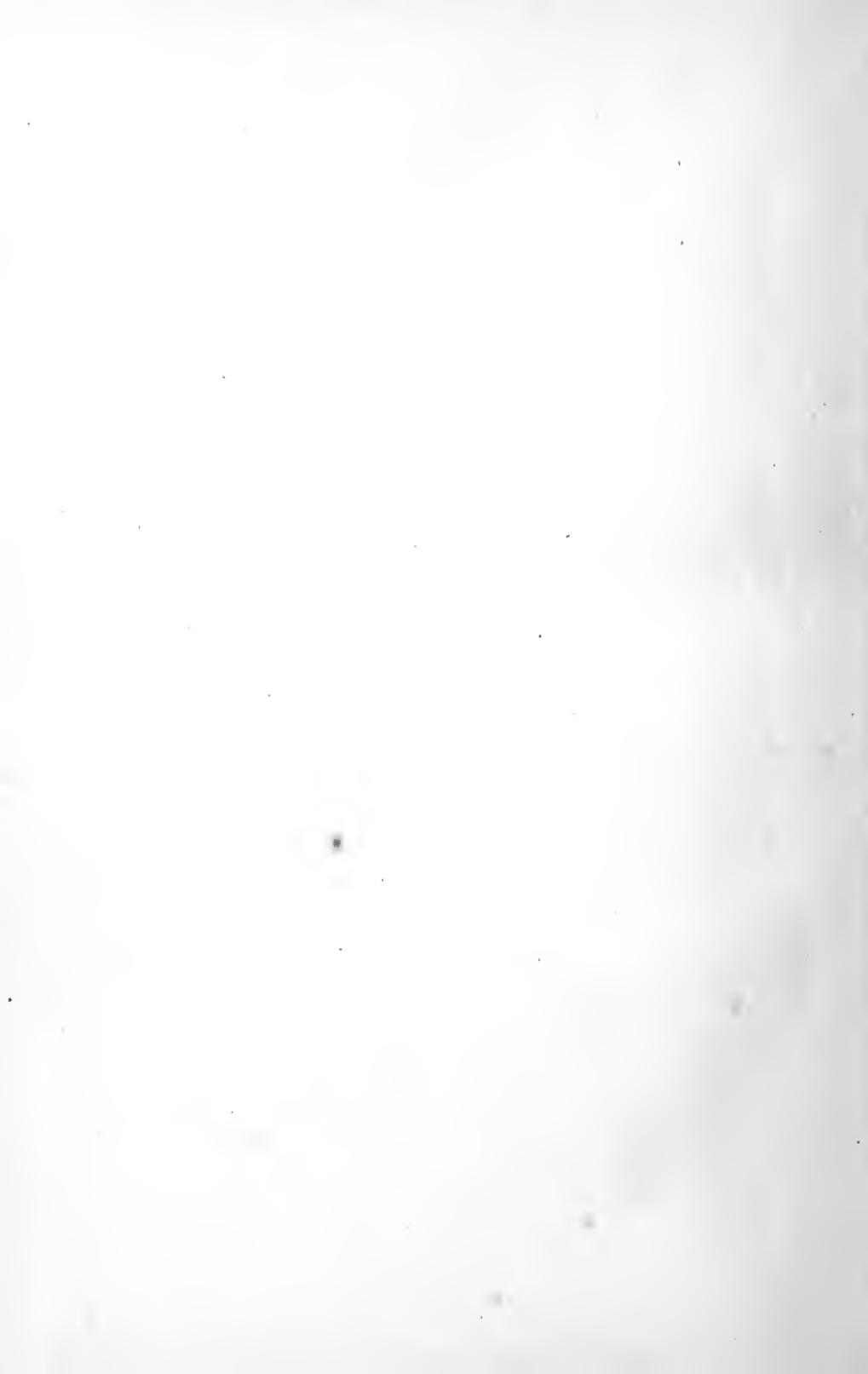






Glass IIG-799

Book C3





THE POPE AND ITALY

by

VERY REV. NAZARENO CASACCA,
O.S.A., D.D.

Translated from the Original Italian

by

REV. J. A. HICKEY, O.S.A., D.D.

With a Preface by

MOST REV. D. J. DOUGHERTY, D.D.

Archbishop of Philadelphia



Non Nova sed Noviter

PHILADELPHIA

JOHN JOSEPH McVEY

1920



THE POPE AND ITALY

by

VERY REV. NAZARENO CASACCA,
O.S.A., D.D.

1157
—
1311

Translated from the Original Italian

by

REV. J. A. HICKEY, O.S.A., D.D.

With a Preface by

MOST REV. D. J. DOUGHERTY, D.D.
Archbishop of Philadelphia



Non Nova sed Noviter

PHILADELPHIA
JOHN JOSEPH McVEY
1920

IG799
C3

Permissu Superiorum :

FR. N. J. VASEY,

Provincialis, O. S. A.

Nihil Obstat :

JOSEPH M. CORRIGAN, S. T. D.,

Censor Librorum.

August 27th, 1919.

Imprimatur :

† D. J. DOUGHERTY,

Archiepiscopus Philadelphiensis.

September 15th, 1919.

MAK 20 1920

© CLA565269

COPYRIGHT, 1920, BY JOHN JOSEPH McVEY.

201

PREFACE.

UNTIL settled, the Roman question will remain a sore spot for Italy and the world. Not before the solution of this problem can the Italian Nation put forth its full strength.

For a thousand years, the Pope had been in legitimate possession of his territory. Hence, King Victor Emmanuel's entry into Rome, through the breach at Porta Pia, his seizure of the Papal States, and the confiscation of Church properties, were a wrong.

Nearly fifty years have gone by since that time; but each succeeding Pope has protested against the invasion and spoliation. For time cannot undo injustice.

Neither can the Papacy be ignored. It is not only the oldest and most wide-spread institution on earth; it is also the most powerful; and through its three hundred million members it reaches out to every part of the world. Its foes may gnash their teeth at it; try as they may, they cannot forget it. The world, and especially Italy, listens when the Pope speaks.

The Papacy can do without the States of which it was spoiled. It cannot live without freedom and independence. Moreover, its liberty must be apparent to the world, and satisfactorily guaranteed. For the moment that the Pope becomes the subject of any nation, or even a suspected subject, his effectiveness is impaired.

Under the conditions of modern life, with Socialism rampant, it would, perhaps, be difficult for the Holy Father to regain the Papal States. It would be still more difficult for him civilly to rule them. Yet, if the Pope is to be free and independent, he must have

some territory not subject to another ruler. How extensive that territory should be is a detail that could be arranged amicably between the Pope and the present Italian Government.

But one thing is undeniable: that it should never be possible for any nation to have the Papacy at its mercy, and to pretend to use it as a pawn on the political chess-board. The nations of the world owe it to themselves that they combine to endorse a satisfactory agreement between the Papacy and the Italian Government; and to make this covenant binding forever.

Let no one say that the present Italian Law of Guarantees is sufficient. It is a one-sided document, drawn up by the Italian Government without consulting the Holy See, and has never been accepted by the latter. Its chief flaw is its instability. An Italian Parliament made it; an Italian Parliament may unmake it at will.

Sound Statesmanship dictates that the Roman question be solved at once by the initiative of the Italian Government, that the agreement be mutually satisfactory to the Papacy and Italy, and that it be internationalized.

The reader of Dr. Casacca's work will find these points brilliantly developed. Having a deep love for his native land and for the Holy See, he points out the way to a happy solution of the Roman question. His book is written with great moderation and power of reasoning, and will undoubtedly be read with much interest and profit.

* D. J. DOUGHERTY,
Archbishop of Philadelphia.

FOREWORD.

I WOULD ask the reader, no matter what his personal opinions may be, to read without bias this brief and modest work. It treats of a theme of the utmost importance. I would not have published it if I had not been convinced that every word in it is true and inspired by a desire for the welfare of Italy. I would ask him, moreover, in his reading to hearken to the prudent counsel of Augustine, who admonishes us not to find fault with a work until we have read it in its entirety. "*Quisquis legis, nihil reprehendas, nisi cum totum legeris.*" (*De Mendacio Cap. I.*)

Recently a large number of articles on the Roman Question made their appearance in the press. The authors of these articles, however, were not apparently animated with a desire to give to their readers a clear and thorough explanation of it. For one thing, they were not impartial, nor did they attempt to analyze the issue into its constituent elements; consequently, their readers derived but little profit from their work. With the hope of clarifying these elements, I have ventured to publish this brief study.

Now that Italy, through the favor of heaven and at a cost of heavy sacrifices, has had the good fortune to extend her boundaries to a geographical configuration more in keeping with her rights and needs; now that war is over and the forces of our country are uniting and preparing to work together for an increase in the life of the nation, and to give attention to the many internal problems that await solution, it is highly im-

portant that we turn our hand likewise to the consideration of this grave problem, from the solution of which so many advantages would accrue to the national life of Italy, both at home and abroad.

N. C.

CONTENTS.

| | PAGE |
|----------------|------|
| PREFACE | iii |
| FOREWORD | v |

CHAPTER I.

| | |
|-------------------------------------|---|
| EVIL EFFECTS OF THE DISSENSION..... | 1 |
|-------------------------------------|---|

The present relations between the Holy See and the Italian State are a source of grief to the friends of Italy and a cause of injury to the Holy See, to the people, and to the intellectual, moral and economic life of the nation. A settlement of the dissension, far from injuring anyone, would be of advantage to all concerned.

CHAPTER II.

| | |
|-----------------------------------|---|
| FAULTY METHODS OF DISCUSSION..... | 2 |
|-----------------------------------|---|

Faults committed in the discussion of the question; (1) By the friends of the Pope through their emphasis of supernaturalism; (2) By the adversaries of the Pope through their constant insistence, to the exclusion of everything else, on the existing conditions which are in discussion and which have arisen through an act of injustice; (3) By the indifferent, intemperate and incompetent.

CHAPTER III.

| | |
|-----------------------|---|
| WHO IS THE POPE?..... | 5 |
|-----------------------|---|

(1) The answer given by theologians which is effective for the members of the Church (a Free Church in a Free State); (2) The answer to be found in the facts of history, which should be effective for all men; the existence and activity of the Pope in the centuries.

CHAPTER IV.

| | |
|------------------|----|
| BENEDICT XV..... | 11 |
|------------------|----|

Prior to, and after, his elevation to the Papacy; his conduct during the World War; his great power.

CHAPTER V.

| | PAGE |
|-------------------------|------|
| AIMS OF THE PAPACY..... | 15 |

The honor of God; the eternal and temporal happiness of man; the promotion of Christian morality; obedience to constituted authority; the attitude of the Popes to the arts, sciences and philanthropy.

CHAPTER VI.

| | |
|---------------------------------------|----|
| SPECIAL INDEPENDENCE OF THE POPE..... | 17 |
|---------------------------------------|----|

The Pope is identified with Christianity; his office supreme and ultranational in character; his authority over the inner and outer world; absolute liberty and independence from all earthly power essential to the papal mission.

CHAPTER VII.

| | |
|---|----|
| SPIRITUAL, TEMPORAL AND TERRITORIAL DOMINION..... | 19 |
|---|----|

Nature of dominion and its three divisions; first two possessed by the Pope throughout the entire world; the third, which follows as a corollary from the other two, necessary in his See.

CHAPTER VIII.

| | |
|-------------------------|----|
| THE ROMAN QUESTION..... | 20 |
|-------------------------|----|

The Civil Power of the Pope legitimate in its origin and in its subsequent development; the Pope's titles to Civil Dominion which are subject, or impervious to, prescription; the Roman Question arose from the manner in which Italy was unified; the attempts of the State to make reparation in its Law of Guarantees.

CHAPTER IX.

| | |
|----------------------------|----|
| THE LAW OF GUARANTEES..... | 23 |
|----------------------------|----|

One-sided, enacted without the concurrence of the Pope; despite everything a solemn, though unintentional, proof of his ultranational sovereignty; inadequate as to the purpose and end for which it was devised; insufficient as shown by the facts; apparently generous, in reality subversive of the rights of the Papacy.

Contents.

ix

CHAPTER X.

| | PAGE |
|-----------------------------|------|
| THE CLAIMS OF THE POPE..... | 35 |

The claims of the Pope have never been sought by the State; exaggerated and misinterpreted by his adversaries; neither opposed to national unity nor against the territorial integrity of Italy; means required for the free and independent exercise of the Papal mission; three objections answered.

CHAPTER XI.

| | |
|--|----|
| PAPAL SOVEREIGNTY, THE UNITY AND INTEGRITY OF ITALY..... | 45 |
|--|----|

Papal Sovereignty and the unity and integrity of Italy are not only reconcilable but mutually helpful; the Pope demands restoration from Italy alone; Papal neutrality during the War of the Nations (see note).

CHAPTER XII.

| | |
|---------------------------|----|
| THE CONDUCT OF ITALY..... | 53 |
|---------------------------|----|

Her culpable attitude of indifference in the face of an urgent and grave duty towards the nation.

CHAPTER XIII.

| | |
|---|----|
| FUNDAMENTAL POINTS FOR THE NEGOTIATION AND SETTLEMENT.. | 54 |
|---|----|

Settlement without territory; settlement with territory *simpliciter* and *secundum quid*; an international law of guarantees; fundamental concepts, *transactio*, the sovereignty of the Pope and means for its practical exercise; personal independence of the Pope, of his acts, of his See, and of an adequate territory; Rome (see note); reasonable conclusions; proper dispositions of mind on the part of the State, of citizens, and especially of Catholics, in the discussion of the question.



THE POPE AND ITALY.

CHAPTER I.

EVIL EFFECTS OF THE DISSENSION.

FOR the past half century the reciprocal relations between the Holy See and the Italian Government, while they may have failed to disturb or impress the unthinking, have been a source of grave concern and sorrow to the sincere and intelligent who have at heart the welfare of Italy. Who in fact has profited or profits now by this long-standing state of dissension? Not the Holy See, which has often expressly and solemnly declared that it finds in the existing situation serious handicaps to the exercise of its Christian mission. Not the Italian State, which by reason of this dissension finds itself deprived of cordial sympathy for its government on the part of the friends of the Holy See in Italy and elsewhere who have felt offended by its attitude. Not the people, who, despite the efforts of men of good heart and peace-loving minds, find in the existing condition constant motives for discord, resentment and hostility with which the history of the past fifty years is replete. Nor, finally, has this anomaly brought any advantage to the intellectual, moral and economic life of the nation, which in all its important activities must needs suffer the reactionary effects of so many forces in conflict.

On the other hand, who would suffer injury through

a settlement of the question? It will be evident to the attentive reader of this little work that not only would its settlement injure no one, but on the contrary, all would share in the advantages derived therefrom. The patriotic duty, therefore, of bending every effort to the end that a new era may arise in the relations between the Holy See and the Italian State, is quite obvious.

CHAPTER II.

FAULTY METHODS OF DISCUSSION.

PERHAPS one of the reasons why a complete understanding and final definition of this abnormal situation have been impossible may be found, not so much in the nature of the question, as in the wrong way in which the problem has been approached. This difficult question, in fact, has never been considered or proposed in its precise and proper terms either by the friends of the Pope who have written in his defence, or by his enemies who in dealing with it have been animated solely by a desire to oppose him, or finally by the indifferent who have treated the entire matter with great levity.

The friends of the Pope, approaching the subject only from their own point of view, have usually emphasized arguments supernatural in character. Upon the basis of these, they have insisted that believers and unbelievers alike should recognize the supremacy of the Pontiff and admit in him all those prerogatives to which he in consequence lays claim. They have

entertained the hope that upon the basis of the truth, admitted by Catholics, that the Pope is the Vicar of God on earth, they would succeed in convincing their opponents and lead them to that attitude of respectful docility which is the Pope's due. Now, it is obvious that if we would expect men to be influenced and swayed by reasons that are supernatural, they should first of all be converted to the school and life of the supernatural, since one cannot reasonably submit to doctrines which one does not admit, nor to the exactions of a society like the Catholic Church to which one does not belong. By this I do not mean to imply that one is free to accept or reject the Church, nor that it belongs entirely to one's free will to admit or reject supernatural truths. The point I wish to make is simply this, that from those who are outside the pale of the Church, *de facto* if not *de jure*, for which they are responsible before God, one cannot logically demand that they should admit the contention of the defenders of Papal rights, especially when the arguments of these latter are based exclusively on principles which they, however wrongly, neither recognize nor accept. To bring men of this kind, therefore, to a point of view which they will recognize as reasonable, we must pursue a different course.

If the method of those, who, in seeking to gain their point, rely exclusively upon supernatural reasons against those who do not believe in them, be illogical, much more illogical, if possible, is the method of those others who, inspired by hate, seek to impede and defeat a proper adjustment of the mutual relations between the Pope and the Italian Government, by constantly presenting for consideration not the rights and duties

which emerge from the nature of things, but the fact as it stands. Let us speak plainly. In dealing with the prerogatives of the Pope, it is neither scientific nor juridical to consider only the existing conditions, which precisely are in dispute, ignoring altogether his position not only as it is in law, but likewise as it is in point of fact. This is a veritable begging of the question. In this way are established not the truths of law or of fact, but opinions which are in the highest degree arbitrary.

Who does not know that a right which emanates directly from the nature of a thing is and must be always above any other right, just as, for instance, a fact is above mere words? Who does not know that desires, conventions and even contracts which are in conflict with the nature of the object of the said desire, convention or contract are null and void in substance and of no effect? When we discuss the question of Papal prerogative and attempt to solve the question without taking into account the fact that for so many centuries the Pope has been the authoritative head and absolute ruler of a universal society which embraces many hundred millions of men; when we fail to consider that the large number of Catholics throughout the world have the right to exact from every State a treatment which will not hamper the mission of their supreme head; when we do not consider the undeniable and inevitable exigencies which flow from a state of affairs that is general and world-wide; when we take into account none of these things, but merely other factors, then are we no longer in the field of scientific, legal, or civil discussion, but rather in that of erroneous, unjust, and arbitrary opinion.

It is clear, then, that methods of this type employed in the discussion of the question, no matter by which side they are used, are certainly not calculated to produce that understanding out of which should come a proper settlement. We should likewise frown upon all intemperate methods which, either from an excess of zeal or from a spirit of sectarianism aiming at contempt or some other ignoble end, serve only to confuse and to prejudice.

Nor is the fact less deplorable that many, like newspaper writers at so much a column, often attempt a discussion of this difficult question, without even having studied the matter seriously, without understanding its real importance, basing their judgment entirely on sentiment, and repeating the vain phrases of others.

CHAPTER III. WHO IS THE POPE?

TO establish the rights and duties of a person, we should first consider fully his prerogatives, not only those that are extrinsic, but, as far as possible, those that are intrinsic as well. Hence the first question to be answered in our present case is this: Who is the Pope? To this an answer may be given theologically for those who believe and historically for all in general.

According to the teaching of theologians, the Pope is the Vicar of God on earth. This they show in the following fashion: In the fulness of time the Son of

God descended upon the earth, miraculously taking upon Himself human nature that He might work out the salvation of humanity, which was suffering under the curse of original sin and its manifold evil consequences. For this purpose, when He had arrived at the years of maturity and had schooled a few persons in a new religion which was to perfect and supplant that of the Jews, He offered Himself in holocaust to the Eternal Father. But before returning to the Father He designated Peter to rule over all those who might embrace the new religion, and, conferring upon him every power necessary for the government of His subjects, He left him as His *locum tenens*, or Vicar. Thus Peter was the first Pontiff, or first of the many Popes, who afterwards lived through the centuries and who continue with the life of the Christian Church.

Since the object of the new religion was the procuring for its followers, not an abundance of perishable earthly goods that serve only for the brief time men spend in this world, but the means of obtaining the glorious eternal life beyond the tomb; and since the Church was established as a haven of safety where men might not be blindly wrecked on the rocks of error or engulfed in the whirlpools of evil, Jesus conferred on Peter the power to teach men with authority the truths of salvation, and to lead them by the use of proportionate and efficacious means in the ways of righteousness. Peter received likewise power of jurisdiction, and was appointed center of this power. From him alone was to be distributed to others whatever power of government there be in the Church. Moreover, all the followers of this religion, without

exception, were to be subject to him under penalty of forfeiting membership in the Christian flock of which the Pope is the Pastor. From this comes the right and duty of the Pope to teach Christians religion, to govern and guard them as a shepherd his sheep; and from this arises the obligation of Christians to receive the teachings of the Pope and to submit to his direction in spiritual matters.

The Head of the Church and the Head of the State have, indeed, distinct fields of operation, and in their relations to each other are free and independent, each tending to his own end. Nevertheless, as the subjects of both are often the same, it not infrequently happens that in the practical work of government there are points of contact, overlappings, misunderstandings, and even conflicts. In such cases where a peaceable, spontaneous adjustment is not possible, the right to prevail belongs to the Head of the Church, for the evident reason that the society he presides over has a higher and nobler end than the civil society, which is secondary and transitory.

From this we can see the inexactness of the well-known formula "A Free Church in a Free State" as if the Church were contained in the State as the lesser within the greater. From this it follows, too, that the State in its attitude toward the Church should encourage and assist in the attainment of the efforts of her who is to guide men in the ways of virtue and perfection prescribed by God.

But this synthetic and brief reply to the question, "Who is the Pope?" which certainly fills and satisfies the minds and hearts of the members of the Church, is not taken into account by those who do not believe in

the Church. These who whether consciously or not follow that school of thought which does not permit its followers to look beyond the horizon of sensible phenomena, and limits all things and their reasons to the narrow confines of this little world, do not at all appreciate how much we can learn from the teaching of theology, which looks beyond and above the fragile, confused grouping of events that fall under our defective control. Hence to the question of non-members of the Church, "Who is the Pope?" we must give an answer that is not based on the divine origin of the Papacy. Although in any case we must come back to this origin, our answer must appeal to such historical evidence as all must grant, and of which, if we be reasonable at all, we can and must take notice.

Having premised this, we may give, with historical exactness, the following reply. The Pope, as may be verified by the testimony of the senses, is that person who has residence in Rome and who presides there, with supreme authority, over an organization numbering several hundred million souls. The existence of this society, for almost two thousand years up to the present day, is proved, in a thousand divers ways, by evidence, oral, written, painted, and sculptured everywhere. Despite perpetual opposition, the universal Church has neither failed nor ceased to function. Her invincible strength increases from the persecutions she suffers. Her irresistible power has spread, more or less rapidly but unfailingly, over all portions of the globe. So true is this that there is not in the world a single State in which the members of this Church do not constitute, if not the large majority, at least a part of its citizens. Her doctrines and funda-

mental theories exercise a powerful influence everywhere, even in the midst of those who seek to contradict them; for these doctrines are like light which penetrates into every corner and illumines even those who fight against it. So that, in a certain sense, all the world is Christian since none of its regions has been able to escape the light of Christianity, while all, willing or not, have been pervaded by it.

Now, the visible and temporal Head of this Christian Society is the Pope, whose existence and immense influence no one can ignore, or escape. One may indeed personally hate the Pope. One perhaps could force oneself to disregard him, but one can never deny that he exists, nor can one avoid perceiving in some way the effects of his existence, just as one cannot deny the existence of the sun.

When statistics show us a list of three hundred million men with a hundred thousand bishops and priests and with a Supreme Head at whose command minds and hearts in all points of the earth yield obedience, can any one in the world in his right senses, even though he be a non-believer, refuse to admit this fact, and recognize that this Supreme Head with the prerogatives which constitute and characterize him, really exists, actually rules and is in fact the Pope? When the indisputable facts of history proclaim that for centuries the Pope, whether the object of love or of hate, of blessings or of curses, has continued to discharge his high office of guide to men, shall any one dare deny that the Pope actually exists and continues to influence the world by the majesty and sublimity of his authority?

The Pope exists, but not from yesterday, for before

the present Pope Benedict XV there have been 259 others who have exercised the same office. It would be sufficient to visit any library which is not confined to books of imagination exclusively and cast a glance over its catalogue to discover immediately, in every century from the beginning of the Christian era down to the present day, most striking evidences of the existence and authority of the Pope. Moreover, these evidences are found so deeply imbedded in every field of human endeavor that to destroy the traces of the Papacy one would have to wrench, as it were, the earth from its poles and reduce the terrestrial globe to dust and scatter its atoms into limitless space.

The decisive word of the Pope was heard at Jerusalem at the election of one of the twelve pillars of the Church, also at the Council which settled the disputed question of circumcision. In the first three centuries of the Christian era in the face of bloody persecutions, thirty Popes suffered martyrdom. From the fourth to the nineteenth century, in confirming and sanctioning the wise deliberations of twenty General Councils, at which were framed laws for all men, the Popes have exercised their august power. It was the authority of the Pope that gave form and force to the underlying body of salutary laws which today regulate the customs of all Christian peoples. For many centuries it was the Pope who in religious disputes, and often in political and social ones as well, pronounced the final sentence, from which there was no appeal, thereby bringing peace to souls and giving an impetus to the progress of true knowledge and sound morality. And it must be admitted that the name of the Pope was and is gloriously written in indelible

characters on all the wonderful manifestations of the arts and sciences, and in all truly great and beneficent works. What else do the very struggles, the very persecutions directed against the Pope manifest if not his authority and his great influence? The Pope may be likened to truth, which, in the expression of Augustine, is affirmed in its denial no less than in its assertion.

CHAPTER IV.

BENEDICT XV.

BUT without going back to the past, it is easy to discover who and what the Pope is by observing him in our own days. As is well known, the greatness of a Pope is derived in small part from his personal merits. Among the hundreds of Popes who have sat in the Chair of Peter, not all have been equal in moral worth or intellectual eminence. As a matter of fact, there have been some, though few in number and to a lesser degree than partisan historians would have us believe, who have not been credited with all those sublime virtues which should adorn persons of such exalted station. In general, however, the Popes, nor does any historian question the fact, were learned and holy men. But the supremacy and distinction they enjoyed arose, not so much from their personal learning and sanctity, as from the sovereign office of Pope which they occupied.

Let us now turn a reverent glance toward the present reigning Pontiff, Benedict XV. As noble youth, as painstaking student, as zealous priest, as prelate co-

operating so ably with Leo XIII and Pius X in the government of the Church, as an indefatigable bishop in charge of a vast diocese, in every post has he stood out as a man of sterling character. But like many such persons in the world, inferior in rank, Giacomo Della Chiesa, though admired deeply by all who knew him personally, made his way through life doing good, but receiving for it little general recognition.

One day, however, Giacomo Della Chiesa was elected by the College of Cardinals to preside over the destinies of the Christian Church. As the majesty of the pontifical throne raised this exemplary Prelate to a higher plane, his merits shone forth with a new and dazzling splendor. The sceptre of power, which he fain would have refused, made him a Sovereign, while the Papacy elevated him to a position above all human beings. From that day onward the eyes of the entire world have turned to him; for humanity, driven on as it were by hidden forces, has looked to him for solace and relief in its sufferings and for light with which to guide its ways.

As Pope Benedict XV, Giacomo Della Chiesa was indeed destined to stand the supreme test of a sublime character. In August, 1914, burst forth, as all know, the bloody and terrible storm that scattered ruin and sorrow among the nations. An earthquake of moral upheaval accompanied it substituting might for right—the philosophy of Nietzsche for the religion of Jesus. Everywhere were the works of civilization suspended and destroyed; thrones tottered; and the Handwriting on the Wall told, in ineffaceable characters, the failure of our much-lauded human science. Amid world-wide devastation, there was one person that remained calm,

unprejudiced, self-possessed. Like an oak witnessing the destruction by the hurricane of the surrounding forest, that person alone stood out majestically, approving the right and condemning the wrong—and that person was the Pope.

Amid the accumulating perils of this situation, the Holy Father showed the deepest interest in his afflicted children. He consoled the sorrowing and succored the helpless. He secured the exchange of prisoners, restored them to their country and firesides, and in a thousand unseen ways aided and blessed them. Each day he would plead with the Most High on behalf of a war-torn world, and each day he would enjoin solemn public prayer, calling out to all in a voice broken with grief: “Peace! Peace!” Ever unheeded, his counsel, so efficacious for the freedom and salvation of a madly struggling world, was ever repeated, without weariness and without resentment. His words sprang from a father’s heart, and, though not followed, were not without effect. His voice was the voice of one vested with authority, and his position transcending all was able to aid all. The influence of his moral power extended from pole to pole; it touched, penetrated, and pervaded the universal heart of mankind. On this momentous occasion, he inscribed a page in the history of the Papacy, and it will ever be esteemed a page of glory.*

* On August 1, 1917, as is well known, Benedict XV, in a fatherly spirit of mediation, addressed to the Powers at war a Peace Note containing certain general principles for the reconciliation of nations, and invited them to open negotiations on the subject. Since, however, the acceptance of this note, despite the fact that it contained the principles for the ultimate establishment of peace and the welfare of humanity, would

And humanity knows it, feels and says it, and confesses that to render efficacious and concrete the universal desires of civilization and of peace, Leagues or Societies of Nations are of no avail without the form or sanctions of religion; and that we must turn to the Sovereign Pontiff to find a place where all nations may stand. Such is the person of the Pope in the eyes of believers and non-believers alike, for even non-believers are witnesses to his position.

have implied a moral triumph for the Holy See, the adversaries of the Pope, who in the Treaty of London (November 30, 1915) had expressly agreed that he should in no wise have any part in the coming treaties of peace, rejected it, misinterpreting its purpose and its meaning, pretending to detect in it hostile designs towards Italy. The falsity of these charges was shown by subsequent events and by an able letter written November 8, 1918, by Cardinal P. Gasparri, Papal Secretary of State. A second Peace Note, substantially the same as the Pope's though in some respects less complete and less efficacious than his, was proffered (January, 1918) by Woodrow Wilson, President of the United States. He, however, unlike the Pope, who had acted simply as a moral philosopher and as a kind-hearted and fatherly peace-loving teacher, added to his note the suggestion of arms and gold. Consequently, his note was acclaimed to the skies and welcomed and applauded. Alas, for the misery of mankind!

One may recall that in the said Peace Note the Pope, his paternal heart bleeding at the awful carnage of millions of human beings of every land, had styled the war a useless slaughter, adapting the phrase from Horace's *bella matribus detestata*, particularly since in view of his proposals for peace the slaughter was senseless and should have been stopped. But even that euphemistic utterance of his fatherly grief was seized upon by his enemies as a pretext for grief and bitterness at the base and sinister designs they made believe were couched therein. Time, however, has unmasked their hypocrisy.

CHAPTER V.

AIMS OF THE PAPACY.

TO be in a position to know better who the Pope is and to determine and understand his rights and duties, we should know the purpose and aims of the high office he fills, since, as is obvious, the nature of a thing is determined by the end for which it exists and to which it tends. Now, the office of the Pope, the nature of which for the members of the Church is determined by supernatural arguments such as are contained in those passages of the Gospel where Peter is given the authority to teach, make laws and to direct all people in the ways which lead to eternal life, is not unknown even to those who reject the Gospel and prefer to believe only those facts which can be attested by observation. We must account as indisputable facts the wonderful activity and fecundity of the Papacy during the twenty centuries of its existence devoted entirely (why deny it?) to the welfare of humanity. In proof of this it suffices to cast a cursory glance over the instructive and interesting works of theology, philosophy, and literature that have, under the guidance of the Pope, appeared in every epoch. It should be enough to examine attentively such a wonderful monument of wisdom as the body of Canon Law, published for the government of Christians by the Pontiffs, the jurisprudence of which, inspired as it has always been by truth, justice and the consciousness of man's destiny, has been a strong and salutary defense of right and an effective preventive of injus-

tice. To prove this it is sufficient to read the annals of the times when the Pope ruled with mercy and justice the peoples confided to him.

As one of the honors of the Papacy we may mention the habits of life which have distinguished Christians as a class of honorable and virtuous men, rendering them more than others obedient to the laws of the State. The glory of the Papacy may be seen in the churches and the works of art of every description found throughout the world which are traceable to its direction or inspiration, and which constitute an ornament to cities and a spiritual monument to individuals and nations.

To the Papacy must be attributed the patient labor, in the maligned Middle Ages, of the monastic orders who rescued from oblivion and preserved for posterity the literary treasures of Latin civilization which otherwise would have been lost. Redounding, too, to the credit of the Papacy are the many Christian institutions which it has founded, promoted, aided or encouraged, and which have filled the world with works of philanthropy and charity. To the Papacy is due the heroic preaching by which the missionaries brought Christianity and civilization to unexplored regions and joined the names of Rome and Italy with that of the Pope. Finally, there is not perhaps any truly great work in the world, nor any great manifestation of goodness and of truth to which there is not linked, in some way or other, together with the name of Christianity that of the Pope, who, being the Ruler and Teacher of the Christian religion is, by right, as in fact, the depositary of Christianity.

This historical record of achievement brings out in

bold relief the aims of the Papacy in this world. In keeping with its essential doctrines and the nature of Christianity, it seeks to win men to the worship of God, inducing them to observe all divine and human laws, to submit to all constituted authority, and to contribute in the best way possible to the prosperity and success of their native country. It endeavors to assist all governments of the earth in the betterment of their people and in their acquisition of Christian culture. To deny that this is the purpose of the Papacy is to deny a fact which stands forth to-day, as it has stood heretofore, visible to all who do not close their eyes.

CHAPTER VI.

SPECIAL INDEPENDENCE OF THE POPE.

THE special characteristic of the Pope in the discharge of his office and in the government of the Church is his absolute independence as regards the entire human race, a prerogative not found in any other potentate on earth. The Pope, in fact, is identified with the Church and is its embodiment, as it were. He does not depend on this or that individual or society, on this or that human authority, but he exists and exercises his functions like a thing of nature independently of others, precisely like the Church itself, which philosophers might tell us is related to the Pope as matter is to form. In fact, the two terms, Pope and Church, are correlative, the one supposes the other and receives from it its being; and if one were to be lacking, the other would likewise be lacking. The reason

of all this lies in the fact that the Papacy is not only the highest office in the Church, but it is likewise the source and center of the teaching and of every other spiritual power of jurisdiction through which the Church lives. This, then, is the intrinsic reason on account of which the Pope, *de facto* and *de jure*, is and must be independent and absolutely free from any outside power in the government and control of the Church. This independence is likewise due to him because it has so intimate a relation with his impartiality that this latter, so essential for the Papal mission, could not even be conceived without it.*

Among other reasons which show the necessity of liberty and independence on the part of the Pope in the discharge of his office we might enumerate the nobility and superiority of the Christian Church and of its ends in comparison with any other existing society; the universality of the Christian Commonwealth, which is not limited by seas, mountains, political titles or barriers of any kind; the character of the pontifical authority, which has reference not merely to the exterior life of men, but penetrates into the depths of the soul and through its commands and inhibitions establishes therein a moral responsibility. So essential, so fundamental is this liberty, this independence in the Papal mission, that for no reason in the world could the Popes surrender it. In fact they have many times allowed themselves to be slain in its defense.

* The necessity of the Pope's impartiality towards all was shown in a conspicuous manner during the war, when the various peoples kept a watchful eye on the Vatican, commenting on the words and silences of the Pope, and becoming greatly agitated at the mere suspicion of his partiality.

CHAPTER VII.

SPIRITUAL, TEMPORAL AND TERRITORIAL DOMINION.

THE dominion or sovereignty which the Pope exercises over Christians is said to be and is spiritual in so far as it regards the spiritual life of his subjects; it is said to be and is temporal in the sense that, through a system of ecclesiastical laws and regulations which comprise the internal and external forum of the Church, he directs with authority Christians in their life here upon earth, and in keeping with the nature of Christianity and of the Church, which is visible and temporal, reigns visibly over them. In this sense all the governments and forms of authority of this world, inasmuch as they exist and function in time are said to be and are temporal, even though they be not territorial. Here it may not be out of place to note that the use which has prevailed of identifying the temporal sovereignty or dominion of the Pope with his territorial sovereignty or dominion, has produced the unfortunate result of calling *temporalists* or *non-temporalists* those who assert or deny the territorial dominion of the Pope. It would be better, perhaps, to distinguish clearly between spiritual, temporal, and territorial dominion.

The first two types of Papal dominion, in the sense above indicated, extend over the entire world and are readily admitted by all, with the exception, perhaps, of certain non-Catholics, who, not willing to admit that the Church is a visible society and not being able to

deny to the Pope the fact of visible and temporal sovereignty, attempt to challenge his right to such dominion. The third type, namely, territorial dominion, which has particular reference to the nation in which the Pope has his See and to which he lays claim in so far as it may be necessary to his office, is an evident consequence of the other two, which could neither be applied nor exercised without it.

Nevertheless, it is this territorial dominion which, through misunderstanding on the part of the ignorant and through prejudice and preconceptions on the part of those that hate the Church, gives rise to dissensions, divisions and even, we must confess, to persecutions.

This, too, is the knotty point to which as a pretext are attributed today all the differences and suspicions in the relations between the Holy See and the State of Italy. It is this point which, in the eyes of many, in good or bad faith, perverts every act of Catholics and constantly furnishes the motive of hatefully calling the friends of the Pope enemies of Italy. It is this aspect, then, of the problem that we must clearly and calmly explain, if we would contribute to that definite accord which is so ardently desired by all who truly love Italy.

CHAPTER VIII.

THE ROMAN QUESTION.

AS every one knows, up to September, 1870, the Pope was also a Civil Ruler and ruled several provinces in Central Italy, which together with Rome, went to make up the Patrimony of St. Peter. No serious and impar-

tial historian can question the original title of that dominion maintained legitimately for so many centuries. The abandonment of Rome and the Exarchate on the part of the Byzantine Emperors was the determining fact that in the beginning made necessary the civil government of the Pope, which was thus originally only *de facto*, though afterward, through the free recognition and submission to it on the part of the people, it became *de jure*. The subsequent attempts of the Lombards to seize control of the Roman provinces caused the intervention of Pepin and the Franks; and brought about the restitution of the invaded territory to the Pope—a deed afterwards confirmed by treaties and by the constant consent of the people. No one can, therefore, reasonably attack in any way the legitimate character of that dominion either in its origin or in the subsequent course of its existence.

The title of the Pope to civil dominion was thus a double one. The first, like that of every other earthly legitimate ruler, was derived from the will of the people and the force of historical events. The other arose from the need of the Papacy to exercise freely and independently its world mission. The first was subject to the vicissitudes of human politics and to the power of prescription in the vortex of time. The other was inseparably inherent in the existence and actual exigency of the Papacy, inviolate and, like the Papacy itself, impervious to prescription. This double title of the Pope should never be lost sight of by those who would form a correct judgment on the so-called Roman Question in its present circumstances.

When attempts were made in the second half of the nineteenth century to unify Italy by abolishing its

many independent States, those in control of the movement were unwilling to make any exception even in favor of the Pope, who was thereupon despoiled of his kingdom. This act of forcible despoliation was intended to destroy, not only the Pope's title to civil dominion, which is subject to prescription, but also his title to independent spiritual sovereignty, which is inviolate and impervious to prescription. But the Pope, we repeat, was not simply a Civil Prince; he was likewise the Head of Christians throughout the world. Consequently, as his little territorial dominion furnished sufficient title to guarantee him that absolute independence and liberty requisite for the exercise of his high office, he could do no less, on the forcible despoilment of this territory from him, than strongly protest to the entire world and vehemently demand, not merely as a Civil Ruler despoiled of his kingdom, but as a Pontiff deprived of his necessary liberty, that his dominion be restored to him.

The new Italian State realized that the Pope could not be treated after the fashion of other despoiled princes; it realized, too, that the unification of Italy would have to be accomplished with due regard to the Pope's world-wide sovereignty; wherefore it endeavored to make reparations.

To make proper reparations for its errors, the Italian State should have either restored to the Pope his small kingdom or should have given him something equivalent, which, in the judgment of the Pope himself, would have assured him of the full liberty and complete independence indispensably necessary for him. In any case, natural equity and ordinary common sense would have suggested that the State

treat directly with the Pope, as the party most interested. But at this point the Italian State fell, unfortunately, into a second error. On its own initiative, without negotiating with the Pontiff or hearing him, it elaborated, after the manner of a victor, the law on "The Prerogatives of the Supreme Pontiff and the Holy See and the Relation between the Church and State," commonly called the Law of Guarantees, and on May 13, 1871, published it, acting much after the way a victorious enemy would have acted toward a prisoner of war, for whom he would lay down regulations without taking counsel with him.

CHAPTER IX.

THE LAW OF GUARANTEES.

WAS it possible that the Pope could ignore this new outrage and accept the arbitrary dispositions of the law and declare himself satisfied with it? Prescinding both from the way in which the law was enacted and from its contents, which have been found, moreover, insufficient and inept, how could he have submitted to the will and pleasure of the Italian State? How could he, whose kingdom extends from one end of the world to the other, disregard the eternal principles of that inviolable liberty and absolute ultra-international independence with which he must guide the destinies of the Church and submit to an abuse of power which would render him a subject of the State?

It was all too evident that such a law, far from remedying the preceding acts of injustice, constituted

a fresh one; all the more so since the State itself had declared the law to be purely national and internal in character and hence revocable at will.

Nevertheless, the Law of Guarantees, notwithstanding that it does him a grave injustice, has a deep political significance favorable to the Pope. Certainly, the mere fact of the existence of this law forms a precious proof of the universality and political importance of the Papacy. After having invaded the territory of the Pope the Italian State felt the need of demonstrating to the Powers that, though it had taken possession of these provinces and had dispossessed their temporal Sovereign, it had nevertheless respected and intended to respect the prerogatives of world sovereignty inherent in the Head of the Church. So in the hope of satisfying and placating the convictions and sentiment of all the nations on the universality of the Papacy, the Italian Government hastened, though with unhappy results, to enact the law. This method of procedure constitutes something truly unique in history. For nothing like it ever happened before to a civil ruler despoiled of his kingdom, nor to any of his successors. Thus did the power and ultra-national sovereignty of the Pontiff receive from another source a new confirmation, which, though begrudgingly given, is yet of no small value.

But the law itself, so significant in character, contains numerous substantial defects. It has turned out to be an unfortunate expedient, contrary to the purpose and to the end alike which induced the State to enact it. The purpose was the evident fact that the Pope, deprived of his throne, yet remained as before the Supreme Universal Head of the Christian Church,

recognized as such by all. Hence arose the need on the part of the State to devise some special treatment for him which would quiet the anxieties of Christians and of the Powers. But that treatment should have been worthy of the motive which created it; that is, it should have been worthy of the ultra-national sovereignty of the Pope and of the greatness and spiritual liberty of the Church. Wherefore, a first essential condition in the devising of that treatment should have been the participation in it of all Christians through their governments. More important even should have been considered the participation in it of him who, as Supreme Head of the Church, was to be the principal object, nay, the sole object, of the measures to be adopted. This had been said and proclaimed publicly many times by the directors of the new State. In fact, the First Italian Parliament, in the celebrated session of February 21, 1861, in Turin, discussing the important matter of the unification of Italy, received and approved a report presented by Senator Matteuci in the name of the Senatorial Commission, in which, after alluding to the diplomatic advantages which the nation anticipated from other States as the result of unity, he added: "These States, like ourselves zealous guardians of peace and good order, will add new force to the authority of the Government and of the First Italian Parliament, so that with the wisdom and moderation, which should control the counsels of a large kingdom, a solution may be found for the difficult problems which are of interest to the peace of Italy and of the world, as well as for the greatness and spiritual liberty of the Church."

In the Parliament of Florence in the session of De-

cember 21, 1870, the Minister of Foreign Affairs, Mar-
chese Emilio Visconti Venosta, whose words cannot be
suspected as favoring the Pope, replying to a member
who attempted to dissuade him from negotiating with
the other Powers concerning the status of the Pope,
and who urged him not to take up the matter at all,
expressed himself as follows: "This is an international
question. We cannot refuse to recognize the uni-
versal character of the Papacy in the exercise of its
religious functions as regards Catholics throughout the
entire world, and the interest of every government hav-
ing a Catholic population that the Holy See should not
become a subject or be subjected to the particular sov-
ereignty of any one State. This is derived, gentlemen,
from the particular character which is peculiar to the
organization of the Catholic Church, a character which
differs substantially from that of other churches. The
Pontiff is not merely Head of Italian Catholics. He re-
presents the Supreme religious power, exercising juris-
diction over Catholic organizations which form parts
of other States, and as an Ecclesiastical Power he has
with these other States concordats and contracts of an
international form which regulate and at the same time
recognize this jurisdiction. There is perhaps no one
in this assembly who, among the rights which the Pon-
tiff maintains, would deny him the right of receiving
and maintaining at his Court representatives of other
Powers to treat with them concerning the religious in-
terests of their States. Now, gentlemen, would a sim-
ilar privilege be accorded to the Archbishop of Flor-
ence or to the Archbishop of Turin, whose authority
does not extend beyond the confines of the kingdom
and who are Italian subjects? To recognize the right

of the Pope to receive diplomatic representatives and to deny at the same time the existence of an international character in the juridical situation of the Papacy as a religious institution seems to me to be an evident contradiction."

In keeping with these principles, Marchese Visconti Venosta, on September 7, 1870, published a circular letter in which it was stated "that Italy was ready to enter into negotiations with other States concerning the conditions to be determined upon by common consent, to guarantee the spiritual independence of the Pontiff." It was always the liberty and complete independence of the Pope which was proclaimed as it were with affected insistence, and its basis was precisely the nature of his sovereignty. Victor Emanuel II himself in a letter written to Pius IX from Florence on September 8, 1870, that is, twelve days before the occupation of Rome, protested in the strongest terms that he had constantly endeavored and with unceasing perseverance would seek to put into practice his sentiments of reconciliation, "that the Head of the Catholic Church, surrounded by the devotion of the Italian peoples should maintain upon the banks of the Tiber a glorious See independent of every human sovereignty."

All this goes to show clearly that the Roman Question, created by the manner in which Italy was unified, was, properly considered, not a mere internal question to be decided by a one-sided law of the State, but an ultra-national question of exceptional character which could not be settled without the intervention of the Powers who would protect the interests of their subjects and especially without the intervention and the

full consent of the Pope. The Italian Government acted instead quite differently and did the opposite of what it should have done. It did not interest itself at all about what Christian people might think concerning this important question, nor did it consider what just and lawful claims the Pope might have. Losing sight of the purpose which it had asserted would animate it in considering the position of the Pontiff, it elaborated by itself and for itself the Law of Guarantees and published it as the most natural thing in the world.

A superficial examination of this law would immediately create the impression of a generous and kind act on the part of the Government of Italy towards the Pope. The articles number nineteen; the first thirteen grant in generous tones concessions to the person of the Pontiff and the Holy See. The remaining six contain determinations relating to the clergy and to the Church in Italy. The text follows:

I. THE PREROGATIVES OF THE SOVEREIGN PONTIFF AND THE HOLY SEE.

1. The person of the Sovereign Pontiff shall be sacred and inviolable.
2. All attempts against the person of the Sovereign Pontiff and provocation to commit the same, shall be punishable with the same punishments as attempts and provocations of the same kind against the person of the King. Public attacks and offenses against the person of the Pontiff, whether by words, deeds or other means mentioned in the Law of the Press shall be punished with the penalties contained in the same law. The said crimes shall be of public action and belong to the competence of the criminal court. Discussion on religious questions shall be absolutely free.

3. The Italian Government shall render to the Supreme Pontiff in the territory of the kingdom the honors of a Sovereign. He shall enjoy all the rights of pre-eminence which Catholic Sovereigns

recognize in him. The Supreme Pontiff shall have the right to maintain the customary number of guards attached to his person and assigned to the custody of his palaces without any prejudice to the obligations and duties devolving on said guards by reason of the existing laws of the kingdom.

4. There shall be set aside in favor of the Holy See an annual income of 3,225,000 lire. This sum, equal in amount to that found in the Roman Budget under the titles, "Sacred Apostolic Palaces, Sacred College, Ecclesiastical Congregations, Secretariate of State, and Foreign Diplomatic Service," shall include provisions for the support of the Supreme Pontiff, the various ecclesiastical needs of the Holy See, the ordinary and extraordinary maintenance as well as the guarding of the apostolic palaces and their dependencies; for the salaries and pensions of those attached to the Papal Court and their expenses; likewise for the ordinary up-keep and guarding of the attached museums and library as well as for the salaries, stipends and pensions of those employed therein. The above-mentioned sum shall be incorporated in the Public Debt of the State in the form of a perpetual and inalienable income in favor of the Holy See. During the interval in which the Papal See is unoccupied it shall be continued for the payment of all necessary expenses contracted during that period. This sum shall be free from all local, provincial or national taxes or imposts. It shall not be lessened except in the event that the Italian Government should later on decide to assume itself responsibility for the expenses of the museums and library.

5. The Supreme Pontiff, besides the established income of the preceding article shall continue to possess the Vatican and Lateran Apostolic Palaces, together with their attached or dependent buildings, gardens and grounds, as well as the Villa of Castel Gondolfo with its attachments and dependencies. The said palaces, villa and attachments as likewise the museums and library and the collections of art and archaeology existing therein shall be inalienably free from all tax or impost, as well as from expropriation for the cause of public utility.

6. During the period when the Pontifical See is vacant no political or judiciary power shall for any cause whatsoever impede or limit the personal freedom of the Cardinals. The Government shall make provision that the assemblies of the Conclave and of Ecumenical Councils shall not be disturbed by any external force.

7. No public official or agent of the police shall, in the exercise of his office, enter any palace or place of temporary or habitual residence of the Supreme Pontiff, or wherever there be an assembly of a Conclave or Ecumenical Council, unless authorized to do so by the Supreme Pontiff or the Council.

8. The inspection, examination or sequestration of letters, documents, books or registers belonging to the Papal Offices and Congregations which discharge merely spiritual functions shall be forbidden.

9. The Supreme Pontiff shall be entirely free to discharge all the functions of his spiritual ministry and to cause to be affixed to the doors of the basilicas and churches of Rome, all the acts of the said ministry.

10. All ecclesiastics who in Rome officially assist the Holy See in the functions of its spiritual ministry shall not, on that account, be subjected to any interference, investigation or accounting on the part of the officials of the State; all foreigners occupying ecclesiastical offices in Rome shall enjoy all the personal guarantees which Italian citizens enjoy by virtue of the laws of the kingdom.

11. Representatives of Foreign Governments at the Holy See shall enjoy all the prerogatives and immunity which international law accords to diplomatic agents. Offences committed against them shall be punished in the same way as offences committed against representatives of Foreign Powers at the Italian Court. They shall moreover enjoy in the kingdom the usual privileges and immunity, in accordance with the same law, in going to and coming from the place of their mission.

12. The Supreme Pontiff shall correspond freely with the Episcopate and entire Catholic world without any interference on the part of the Italian Government. Permission is hereby accorded him to open postal and telegraphic offices in the Vatican or in his other residences under the charge of employes of his own choice. The Papal post office may correspond directly through sealed packages with the post offices of foreign administrations. In both cases the transportation of despatches and correspondence marked by the papal seal shall be exempt, in the territory of Italy, from all taxes and expenses. Mail sent in the name of the Supreme Pontiff shall be considered the same in Italy as mail sent in the name of Foreign Governments. The papal telegraph office shall be linked up at the

expense of the State with the telegraph system of the kingdom. Telegrams transmitted by the said office marked with the official designation "papal" shall be received and sent with the same prerogatives as State telegrams, free from all taxes in the kingdom. Telegrams of the Supreme Pontiff shall enjoy the same privilege when, signed with the seal of the Holy See, they are presented at any telegraph office in the kingdom. Telegrams addressed to the Supreme Pontiff shall be exempt from all taxes chargeable to the recipient.

13. Seminaries, academies, colleges and other Catholic institutes founded for the education and culture of ecclesiastics in Rome and in the six Suburban Sees shall continue to depend exclusively upon the Holy See, without any interference on the part of the school authorities of the kingdom.

II. RELATIONS OF THE STATE TO THE CHURCH.

14. All special restrictions on the exercise of the right of assembly on the part of members of the Catholic clergy are abolished.

15. The Government renounces all rights to the *apostolic legation* in Sicily. It likewises renounces the right in the entire kingdom to name or propose candidates for major benefices. Bishops shall not be requested to take the oath to the King. Major and minor benefices can be conferred only on citizens of the kingdom except in Rome and the Suburban Sees. No innovation is made in the benefices over which the King has the right of patronage.

16. The royal *exequatur*, the royal *placet* and every other form of Government approval required for the publication and execution of the acts of ecclesiastical authorities are abolished. However, until other provisions have been made as in article 18, all acts of ecclesiastical authorities regarding the use of ecclesiastical property and the provisions of major and minor benefices, except those in the city of Rome and the Suburban Sees, shall remain subject to the royal *exequatur* and *placet*. The dispositions of the civil laws regarding the creation, the manner of existence of ecclesiastical institutes and the alienation of their property remain in force.

17. In spiritual and disciplinary matters there shall be no appeal against the acts of ecclesiastical authorities, nor shall any sanction by force be accorded or recognized regarding these acts. Their judicial effects, like those of any other act, shall be null and void if contrary to laws of the State or to the public order, or to the rights

of private citizens. If they constitute crimes they shall be subject to the penal laws.

18. Provision shall be made in a future law for the maintenance and administration of ecclesiastical property in the kingdom.

19. Any and every existing disposition, in so far as it may be contrary to the determinations of the present law, shall cease to have effect.

If we reflect on the contents and form of this law, even if we limit our reflections to its spirit and general outlines without attempting a critical analysis of its individual articles, extolled though they be by some writers as a monument of legal and political wisdom, disillusion and disappointments will immediately result and the seeming generosity of the State will stand revealed as the disguise of a disciplinary regulation. The Pope, who is not and cannot be any one's subject, would, by force of the law, become a subject, nay, a pensioner of the State of Italy. In consequence of the Law of Guarantees the high prerogatives of universality in the dominion of the Pope would not only be much circumscribed but in a certain sense would even cease to exist. In the delimitations and the restrictions of these vaunted articles the exercise of the papal ministry would no longer be protected and characterized by that independence and that absolute liberty which is an essential quality of the office of the Pope before the world.

This law, the interpretation of which would always be at the mercy of party politics, is clearly inadequate for the full and real sovereignty and the perpetuity of the Papacy. It is contrary to the essence of the Papacy and would subject the Pope to the suspicion of having been influenced by Italy in all his acts. Fur-

thermore, all that the law concedes to the Pontiff already belonged to him by legitimate titles and to a larger degree and in a higher and nobler sense; so that we may say that the State disposes in this law of things which do not belong to it. How self-evident, then, is the fundamental injustice of the Law of Guarantees! State control of the universal Papacy is a contradiction in terms. The suggested remedy for this obvious injustice—the internationalization of the Law of Guarantees—suffers from a twofold fault, at once positive and negative. The vastness of international authority would but sanction this Law's substantial defects, which the vagueness of international operation could never counteract. But even if we were to grant that the prescriptions of the Law of Guarantees were sufficient for the free exercise of the mission of the Pope * they could not be accepted in their present form because such an acceptance would signify, on the part of the Pope, dependence upon those who made the law or sanctioned it, by whom in consequence it could likewise be abolished.

The qualities and prerogatives of the Supreme Pontiff are such that while any one may on his own responsibility respect or violate them, no one can cancel or annul them. When, therefore, the Italian State, instead of recognizing and respecting in the Pope as his inviolable rights all the prerogatives implied in the

*An evident proof of the inefficacy and insufficiency of the Law of Guarantees under present circumstances to assure to the Pope free and full liberty in his mission appears in the fact that in 1915, at the outbreak of hostilities, the representatives at the Papal Court of the countries at war at the time with Italy found it necessary to leave the Holy See, notwithstanding that the Italian Government had courteously offered them protection.

universal sovereignty of the Papacy, endeavored on the contrary through its Law of Guarantees to make it appear that these prerogatives came to him from itself and were thus created in him as apparent concessions, then it is evident that the State, far from performing an act of respect and deference, not only failed in the devotion due to the Holy See and to justice, but in addition committed a deplorable act of usurpation which can have no effect.

We may conclude, then, that Italy, in publishing the Law of Guarantees, has not really acted in keeping with the motive which induced her to enact it, nor has she succeeded in attaining the end which she proposed to secure. Through this law she hoped to silence forever men of the Catholic faith; she felt, too, that the Pope would not examine too closely into the implications of the law and that thus the Roman Question would be dead and buried. This hope was a vain one. The Pope has never hesitated for an instant to reject the law. If under the circumstances he has had to take advantage of some of its concessions, he has done so not by reason of and in consequence of the law but despite it. Catholics of all countries, though not, to be sure, with the arms of force, clamor today as always for a solution of the Roman Question which, then, only may be said to be dead when either Italy in full accord with the Pope has reached a proper solution, or when the Church itself has disappeared from the world. As long as the Church shall endure, as long as the claims of the Pope shall not have been recognized and admitted, the Roman Question, whatever may be said or written to the contrary, shall remain a serious problem awaiting solution.

CHAPTER X.

THE CLAIMS OF THE POPE.

WHAT, then, we may ask, are the claims of the Pope? The Italian State has made the mistake of never having invited the Pope to state them. History will condemn this deplorable omission—an omission which should furnish an impartial investigator and critic sufficient grounds to suspect the existence of intentions none too scrupulous. How otherwise can we explain such a course of conduct on the part of one who has always boasted of having treated and of wishing to treat the Pope according to justice? But let us talk no longer of this, lest we be forced to speak of the unconscionable methods of that nefarious sect which darkens and poisons every national enterprise.

We must distinguish the claims which the Pope really advances from those which others attribute to him. If we would listen to his opponents, the Pope's demands would imply nothing less than the ruin of Italy, the dissolution of her provinces and the dismemberment of her national territory. To satisfy his desires for an independent government, which, according to them, he could do very well without, he would insist, they say, upon the restoration, either entirely or in part, of his former civil kingdom with its land and its people. Now this, they say, would redound to the detriment of Italy both as to territory and as to political power. Hence, they conclude, it would be impossible for the State to consent to a settlement and to a peace with the Holy See.

When the case is presented on this basis and under these colors the obstacles to a peaceable solution would appear to be almost insurmountable. But in reality the case, if it be stated correctly, is quite different. The ruin, dissolution, and dismemberment of Italy as well as a consequent loss in land and political power are only artificial scarecrows constructed for the ignoble purpose of frightening off any attempt at peace.

In the first place, when we talk of national ruin and consider the Pope as the enemy of Italy (if by Italy one does not understand the lower and baser elements), we are being misled by bigotry and prejudice in stating a fact which is contradicted not only by history but by the very nature of the Papacy. In refutation of this vile slander we might point to the mere existence of the Pope in the center of Italy, which in itself constitutes one of Italy's strongest titles to distinction. For the greatness and worth of the Papacy are reflected, beyond the shadow of a doubt, directly and indirectly, in a thousand different ways on the place of his distinguished residence.

"The Pontificate," wrote Leo XIII in a letter, June 15, 1887, to Cardinal Rampolla, "through its lofty universal and permanent mission belongs indeed to every nation; nevertheless, it is, by reason of the See assigned it by Providence, the special glory of the Italians." This fact, Italians living abroad realize well; for, by belonging to a nation in which the Pope resides, they are everywhere greeted with expressions of admiration and envy. Italians living at home realize it, too; for they are witnesses of constant streams of pilgrims who in normal times are attracted to Italy from all quarters of the globe because of the Pontiff. It is

proclaimed by the eloquence of facts from every corner of the nation, where art, science and beneficence make glorious the name of him who for many centuries from his sublime throne has contributed to their honor and advancement. Certainly, in the light of the facts no one could reasonably maintain that the Pope has ever been an enemy of Italy. Nor can one logically conclude that in exacting means essential to the exercise of his pontifical mission he is animated by a spirit of hostility or by a desire for the destruction of Italy rather than by a spirit of special benevolence and desire for her preservation.

According to others, the Pope would demand the dissolution and dismemberment of the Provinces of Italy with a consequent political and territorial loss on the part of the nation. In point of fact, in no official document has the Holy See ever demanded in the tragic form of her adversaries, the dissolution of Italy and the dreaded dismemberment of national territory. On the contrary, the long-standing dispute on the so-called Roman Question does not in its etymological sense regard directly and exclusively the material invasion of Roman territory. It has a deeper and more important meaning than that. It has reference chiefly to the abnormal conditions which have followed between the Pope and his friends on the one hand and the Italian Government on the other. The principal object of the Pope's anxiety is not so much the material loss of land wrenched from him by force, as the dire consequences so injurious to the spiritual life and mission of the Head of the Church which have resulted therefrom.

We meet, indeed, two classes of Papal adversaries,

who complicate the Roman Question by refusing to face the real problem at issue. As usual, both err by extreme views—the one class by understatement, the other by overstatement. The first class derive a pretext from the inactivity of the last half-century to repeat incessantly that many phases of the Roman Question have already been settled and that nothing now remains but a trifling difference between the Vatican and the State that might occur even in friendly relations. The second class of Papal opponents with feigned contempt make every effort to represent conditions in their most unfavorable aspect, never ceasing to proclaim that the Pope's inordinate ambition meditates the dismemberment of Italy. Thus, both classes overlook the truth and deceive themselves and others, closing their eyes to the evidence of history and law, inherent in the very nature of things. The truth is that the Roman Question turns primarily on the sad consequences of the total invasion of Papal territory; and though it does not refer necessarily to all the territory taken from the Holy See, it does refer to some territory, for some territory is necessary for the free and independent exercise of the supreme mission of the Pope. Hence the claims of the Holy See are animated by a quite different purpose, spirit and object. These claims, which, we repeat, Italy has always avoided discussing directly with the Pope, should be studied with care, and any sordid sense which might be attributed to them should be eliminated. If this be done, it will be evident that the conclusion some seek to draw from them, namely, that their granting would imply a loss to Italy in territory or political prestige, is absolutely false.

Let us consider this statement. Since the day his territory was invaded and wrested from him the Pope has not ceased to cry out: "Give me back the means necessary for Papal independence and liberty." Now what is this means which the Pope demands? Up to the time he was despoiled of his kingdom that kingdom was precisely the means suitable for the end in view; for, according to him (and he was a proper judge), it formed the title, fulcrum and extrinsic basis for the free and independent exercise of the mission of the Pontiff. When his kingdom was taken from him the Pope was not given anything equivalent in its stead, for the much-acclaimed Law of Guarantees, as has been shown, failed completely in its purpose. When, therefore, the Pope now demands the restoration of the means necessary for his independence, he demands certainly either the kingdom which was taken from him, precluding from the question of its extent, or something else which would be practically equivalent, to determine which would naturally require serious negotiations between the parties concerned.

Those who deny the Pope any territorial dominion allege, in support of their position, the following threefold argument: first, in the early centuries of Christianity and even in our own day, the Papacy existed and continues to exist without such dominion; secondly, if we admit the necessity of territorial dominion for the exercise of the Papacy, we must admit the paradoxical conclusion that such sovereignty should have the same universal extent as the Papacy itself, namely, the entire world; thirdly, territorial dominion is incompatible with the Pope's spiritual mission—it distracts from its full development and low-

ers the Pope in the eyes of the world, which will have greater reverence for him if he be not involved in the secular care of an earthly kingdom.

If we examine this threefold objection we shall discover that it is due to a confusion of ideas and is without foundation in fact. In the first place, the question under discussion is not whether the Papacy can or cannot exist without territorial dominion, but rather whether existing without that dominion it can exercise with full liberty and independence its mission. Now, who could maintain that without territorial dominion the life of the Papacy at present and during the first centuries is and was free and independent? The Pope proclaims the contrary. Moreover, from the fact that he has not this dominion we cannot logically conclude that he has no right to it. Just as there have been many things which first existed only in fact and afterwards became invested with right, so, too, there have been many things like the territorial dominion of the Pope, for instance, which in the beginning were solely matters of right and afterward became matters of fact as well. Then only would this objection have any weight, if it were contended that territorial dominion is of such absolute and intrinsic necessity, that without it the Papacy could not exist in any way whatever. What we contend instead is that territorial dominion is of relative and extrinsic necessity for the practical exercise of the Papacy. It is not, therefore, logical to deny the necessity of territorial dominion, simply because at a certain period of time, for one reason or another, the Pope did not possess it.

It is likewise arbitrary and false to infer, in the second place, a universal extension of the territorial do-

minion of the Pope from the universality of the Papacy; for the authority and dominion of the Pope are exercised in different ways in his own See and in the rest of the world. Here we could apply that sublime verse of Dante, who, in speaking of the government of God in heaven and over the universe, exclaims: *Che in tutte parti impera, e qui vi regge* (*That in all parts He commands, but here He reigns*).—(*Div. Comm. Inf. I, 127.*)

The Pontiff demands territorial sovereignty, not because it is required where the effects of his acts may reach, but where the acts themselves are produced. The Pope has no need of territorial dominion in any country of the world that its inhabitants may hear and follow his word; but he has the need of it for himself in the making and transmission of his acts of government and policy, and for those who assist him in his august See. The need of territorial dominion in the center of papal activity is one thing; quite another thing is the need of this dominion in the entire world, since everywhere without such dominion men can hear and follow the words of the Pope. Thus this second objection, too, is without value.

In the third place, the contention already mentioned (even if we refrain from an appeal to history, which would refute and manifest its nullity) could have weight only in the supposition that the Pope had no need of this dominion and could direct the human race through invisible ways without the assistance of material means. Since, however, the conditions of his ministry are such that he must govern men with human and even material means; since, too, he has his See and his center of action in the midst of a world of men, sur-

rounded on all sides by the Powers of the earth, who treat with him for the benefit of their own subjects; since, finally, his direction of the Church, as we saw in Chapter VI, must be immune from any interference, whether national or international, he, therefore, requires, as has already been shown, independent territory, which, far from being repugnant to the Papacy and a source of embarrassment to it, is a useful and necessary means for the attainment of its essential ends. Not to recognize or not to admit this necessity and utility would imply either that the Pope should not exercise his office independently, or that he should not exercise it for men and with human means, or that civil power would not contribute to the better discharge of his office, or that becoming Pope he should cease to be man or to act as man and should live in the Land of the Moon.

Let us then avoid all confusion and face the issue squarely. Granted that the Pope is an ultra-national sovereign, recognized as such, through historical facts admitted by all the Powers, Italy included; granted, too, that the Pope as such has an innate and inalienable right to be absolutely free from any human authority in the exercise of his world mission, as likewise, compelled by the facts of history, all the Powers, not excluding Italy,* so recognize and admit; granted,

* October 9, 1870, namely, before transferring the seat of his government to Rome, Victor Immanuel II, replying in Florence to a delegation which brought him from Rome the result of the election held there on June 2d, received it with this solemn declaration: "As King and as Catholic, in proclaiming the unity of Italy, I remain firm in my determination to guarantee the liberty of the Church and the independence of the Sovereign Pontiff."

too, that the kingdom of which the Pope was the legitimate possessor constituted according to his own statement and would constitute today the extrinsic reason and means of such independence and freedom; granted, finally, that this kingdom has been forcibly taken from the Pope and has never been restored to him, nor anything else equivalent given in its stead; granted all this, does it not follow that the Pope has not only the right but a sacrosanct duty as well to protest and demand, until such time as other provisions have been made, the restitution of that which was taken from him?

And who shall dare blame the Pope, if, Priest as he is, he does not hesitate to discharge this important duty which binds him in every moment of his life? For the attitude of the Pope—be it noted—in claiming from the Italian Government for the Holy See its inalienable rights, is, not an option based on caprice or his own personal will, but the fulfilment of a serious, inherent obligation—an obligation he could not refuse to discharge without being false to his most important duties to Christendom that centers itself in him. This explains why the four Popes, Pius IX, Leo XIII, Pius X, and Benedict XV, in language substantially the same though differing somewhat in minor details, have always demanded as means for their freedom and independence, the restoration either of that civil dominion of which they had been despoiled or something else which as regards their liberty and independence might act as an adequate substitute.

Nor should we be surprised at such insistence. Surprise would be justified if the contrary were true; that is, in the case of a passive acquiescence on the part of

the Pope in the abnormal *status quo*. Nor are there any grounds for the insinuation that the Pope seeks civil power not because of any urgent need of it, but out of an instinct of human ambition. Besides the historical falsity of such an insinuation, and besides all that has been hitherto pointed out, it is not at all probable nor admissible that he who commands over the entire world and who sees at his feet the rulers of the world, should aspire through vulgar ambition to the wearisome and embarrassing government of a small population.

Moreover, as against the unquestionable right and duty of the Pope to demand what may be necessary for the free exercise of his mission in the sense explained, what weight can that exaggerated pretense of reluctance to reach a desirable solution have which has been advanced by some for the purpose of impeding any negotiations on the subject? Does the right of a creditor grow less because of a reluctance, real or feigned, on the part of the debtor to fulfill his obligation? Again, the specter of Italian dismemberment and ruin exists only in the imagination of the Pope's opponents. Then only would his opponents be justified in conjuring up this specter, if, in mutual negotiation on the subject, the Pope had insisted, as an essential condition, upon such dismemberment and the consequent ruin of Italy, and, further, if it had been found impossible to discover any adequate equivalent means either to protect the exercise of the Pope's prerogatives or to escape the evils his adversaries pretend to fear. But until the Pope has been consulted on the subject, until negotiations have been opened, it is preposterous and unfair to alarm the nation by presenting as the

goal of the Pope's aims a desire to deprive Italy of territory and political power, merely because he insists upon his right to a place adequate in size for his world-wide office which would in no way depend upon any particular Power. We shall now proceed to clear away a false impression which may exist on this point.

CHAPTER XI.

THE SOVEREIGNTY OF THE POPE AND THE UNITY AND INTEGRITY OF ITALY.

GRANTED that the Pope were to occupy as a Sovereign, by reason of his high office, a determined portion of Italian soil, would any detriment to national unity and the territorial integrity of Italy result? In other words, is the territorial sovereignty of the Pope compatible with the national unity and territorial integrity of Italy? The answer must be manifestly in the affirmative if we consider the nature of the sovereignty which is peculiar to the Pope and different from any other kind. Its nature, as is obvious, must be deduced from the end which the territorial sovereignty of the Pope is to secure. Now this end, as has been stated, is none other than the full and absolute independence of the Papacy in the exercise of its mission. Hence there does not enter into the concept of territorial sovereignty as applied to the Pope all that which enters into the concept of national sovereignty in general. It includes only whatever is implied in the absolutely free and independent exercise of the Papacy. Hence the territorial sovereignty of the Pope would exclude any idea of hostility, rivalry, domination, con-

quest or expansion. Such ideas at most could have had place only when the civil power of the Pontiffs existed by reason of both titles mentioned in Chapter VIII; that is, when the Popes possessed a territorial kingdom not only because of the needs of the Papacy but likewise by force of political events and the will of the people, whose individual and national interests they were in duty bound to safeguard and develop through the use of the means recognized by international law; when, in a word, their territorial kingdom besides being papal took upon itself the character and had the same nature as other human kingdoms. Today, however, the necessity of territorial sovereignty for the Pope is on a totally different basis. The Pope, certainly, has no royal ambition of ruling subjects, no covetous aspiration for a vast earthly kingdom, no cruel intention to injure anyone—least of all, his beloved Italy. He desires special Papal territory, only in order that he may exercise his ultra-national office with that complete and absolute independence which is necessary and which was recognized by all the Powers and even by Italy, through those who were her spokesmen both before and after the unification.

Nor would the nature or dimensions of the Pope's territorial sovereignty today jeopardize at all the unity and integrity of the nation and people. On the contrary, this sovereignty, even though independent, by furnishing a moral basis to the unity and integrity of the nation would give them greater strength.*

*A query appeared in the public press whether the territory occupied by the Pope should not be considered Papal and no longer Italian. To this subtle question (which in English might be styled a form of

There is therefore no question of dismembering Italy, but merely of uniting and strengthening it all the more. There is no question of injuring that privileged nation, but of removing from it that seed of dissension and strife which renders her weak and dishonored at home and abroad. There is no question of detaching a portion of territory to give it to an enemy nation which might eventually use it against Italy herself, but merely of recognizing in the Pope—the friend and the benefactor—his previous right to occupy because of his office an almost negligible portion of territory for the good of Italy and all humanity. It is a question of fulfilling a moral, civil, and political duty and of attracting to Italy the good wishes and the sympathy of three hundred millions of Catholics, and of having the blessing, protection and support of the most powerful personage and sovereign in the entire world. These unquestionable benefits which would follow from a satisfactory settlement of the abnormal position of the Pope should suffice of themselves to frustrate the evil attempts which have been made to frighten minds with the specter of an imaginary territorial and political injury to the Italian Government.

In this connection it is worth while to recall the famous letter, already alluded to, written June 15, 1887, by Leo XIII to the Cardinal Secretary of State,

tanglefoot) we might reply with equal subtlety that the problem in question permits four possibilities: 1. An Italian territory which would not be Papal. 2. A Papal territory which would not be Italian. 3. An Italian territory which would be at the same time Papal. 4. A Papal territory which would be Italian as well. The first certainly would not be acceptable to the Pope. The second would not perhaps be admitted by the Italian State. The third and fourth, in view of the explanations contained in this pamphlet, might perhaps be admitted by both parties.

Mariano Rampolla. In a passage of this letter the great Pope faces squarely the exaggerated territorial objection and the consequent lack of unity in the Italian State which it was so much feared would follow from it.

He discusses it, prescinding from the possibility that as a result of negotiation a different remedy or means might be found which would obviate any dismemberment in the sense feared. He discusses it, too, without entering into the merit of the objection. Speaking from the point of view of Papal rights, he takes the position of their opponents as if accepting the objection and develops the following argument *ad hominem*: "Should the recognition of Papal rights necessarily involve the loss of State unity,"* let us, without considering the intrinsic merits of the case, put ourselves for the moment in the place of our opponents. Let us ask if that condition of unity constitutes for nations a good so absolute that without it they can have neither prosperity nor greatness—is it so supreme that it must prevail over every other consideration? We may point, in answer, to the existence of nations flourishing, powerful and glorious which have neither had nor have that species of unity which is here desired. We make appeal likewise in answer to natural reason which recognizes that in a state of conflict the good of justice must prevail, as the first foundation of the happiness and stability of States, particularly when it is

* As is clear from the context, the unity of State, here mentioned, refers to that special form of unity in the relations of the Italian State to the Church, which had been championed by the Pope's opponents. Italy, however, would still be in reality united, even though the form of that unity were to undergo some accidental changes.

linked, as happens here, with the highest interest of religion and of the entire Church. There should be no reason for hesitation. For if Italy has been specially favored by Providence in that the great Institution of the Papacy has been placed within her confines—an honor of which any nation might well feel proud—it is right and proper that Italians should not consider difficulties in maintaining it in a condition which becomes it. All the more since without excluding in fact other useful and opportune means, without speaking of other precious advantages, an Italy living in peace with the Papacy would see strongly cemented the ties of religious unity, which is the foundation of every other unity and the source of immense advantages even in the social order.”

It is clear from this that the trumped-up difficulty inferred from the anticipated detachment of a portion of Italy for the small dominion of the Pontiff disappears completely whether we consider the principle of unquestionable justice involved, which for the welfare of the community must prevail over anything else; or because of the opportune measures for the advantage of the State itself which could result from cordial negotiations; or finally because of the exceptional nature of Papal dominion which, as has been shown, is not in opposition either to the integrity or unity of the nation.

To understand how unfounded are the fears expressed, we have but to observe the attitude which the Pope has always maintained toward that nation at whose center he has his See. He who cherishes a warm affection for that nation, despite the great injury done to him by the Italian Government, never has assumed

a hostile and aggressive attitude towards her; never has he instigated his subjects throughout the world to hatred and opposition toward her. Not only has he not had recourse to his formidable moral and political power to attack those who have robbed him of his throne, not only has he never taken any diplomatic action to induce the Powers to intervene with force of arms to restore his kingdom, but on the contrary, while deplored the great wrong done him and protesting in the name of his violated rights, he has, as it were, possessed his soul in patience in the expectation that the force of right and the logic of events would eventually induce Italy herself to peaceably seek the desired reconciliation. We may be sure from this that he would not accept even an inch of Italian territory were it to be secured for him by force of foreign arms, without the free consent of the Italian Government.

Hence, if the Roman Question were ever to be made a pretext for foreign military intervention, such intervention could never by any possibility be attributed to the work of Papal diplomacy, but would be ascribable exclusively to ulterior motives on the part of the foreign nation responsible for the intervention, which had made of the Roman Question a plausible pretext. Nor has the Pope finally, in keeping with the fundamental teachings of the Church, ever encouraged the faithful to rebel in any way against constituted civil authority. On the contrary, he has always urged them to obey faithfully and to serve their countries with upright lives.

When the war, which neither the Pope nor Catholics in general had either willed or provoked, came to scatter devastation among the nations and ruin and

sorrow among the peoples, and he saw the hearts of his children filled with the bitterness of anger and hatred, he spoke no word which even remotely might have injured Italy, however much her enemies would have rejoiced and applauded him had he done so. His admirable conduct and the inspiration of his example were an incentive to the faithful in Italy to fulfill their obligations with scrupulous loyalty. Hence the Italian Catholics, and particularly the clergy, in the recent war were not inferior to the Catholics of other countries in the defense of their fatherland.*

Still another fact may be mentioned—a fact that at once indicates the Papal dilemma and evinces the strict necessity of Papal neutrality. On the one hand, the hostile attitude of Italy toward the Papacy effectually prevented the Pope's aiding her in her relations with the nations involved in the war. On the other hand, however much any act to the detriment of Italy would have rejoiced her enemies, the Pope abstained from such injury. This non-interference of the Papacy was actuated by the twofold motive of justice and mercy: first, the inflexible principle of Papal neutrality; sec-

* The neutrality of the Pope towards warring nations, prescinding from his own personal and natural sentiments of patriotism, derives its origin from the exalted character of the Papacy, as such, which he exclusively possesses and administers impartially. It would, however, be altogether illogical to attempt to infer from this papal neutrality an obligation on the part of Catholics to observe neutrality during the time of war, or to assign the neutrality of Catholics to the neutrality of the Pope as its cause. Were we to argue this way we would err grievously in identifying, as it were, the duty of the Pope with the duty of the Pope's subjects, and in confounding the august prerogatives of the Pope with the national duties of his subjects. All citizens, whether Catholic or not, are bound through duty and love of country to defend their native land against its enemies.

ond, the Pope's sincere love for Italy, whose sufferings caused him a deep sorrow he was often unable to conceal.

He has often in the manner of a true father invited Italy to make peace with him, holding out to her attractive promises in the discharge of a duty to God and to men. "Having urged a reconciliation with the Papacy and having indicated the fundamental conditions of that reconciliation, we feel that we have performed our duty before God and men, whatever may be the consequences that shall follow" (*Ibid*). So, too, in the following passage is the voice of the father heard: "May it please heaven that the ardent desire for peace which we have for every nation may in the manner in which we most wish be found useful to Italy, the nation to which God has joined so intimately the Roman Pontificate, and which the ties of nature make dear to our heart. We on our part, as we have often stated, have certainly long desired for the Italians great security and tranquility and the final removal of the unfortunate dissension with the Roman Pontificate. In the removal of the dissension, however, justice must be observed and the dignity of the Apostolic See must be respected, both of which have been violated less by any violent act of the people than by a conspiracy of secret societies. We wish to state that the only way to a peaceful settlement is the recognition of the condition that the Pope must not be subject to the power of any one, but must enjoy full and real liberty, as every consideration of justice demands. The interests of Italy would not only not suffer any injury from a settlement on this basis but would on the contrary derive therefrom much advantage and happiness." (Leo XIII.)

CHAPTER XII.

THE CONDUCT OF ITALY.

THE present relations between the Holy See and the Government are opposed to all justice and are very harmful to both sides. A satisfactory settlement could be made in such a way that neither would suffer any injury, but on the contrary both would reap desirable advantages in the moral, civil and political orders. The better class of persons in Italy and elsewhere ardently desire a settlement. The members of reactionary parties and those who are influenced by them are the only ones who might oppose it. The Supreme Pontiff has often in all kindness invited Italy to make peace and effect a reconciliation, assuring her that the reasonable claims of the Holy See would be kept within the limits of justice. Under these circumstances, then, we may properly ask why it is that the Italian Government remains inactive and makes no effort to satisfy these reasonable desires for the cessation of that lamentable state of dissension which disturbs and poisons the life of the nation in all its elements and casts a stain on the good name of Italy before the world.

Why is it, too, that Catholics, and particularly Italian Catholics—not those who unfortunately do not understand the Roman Question, but those who understand it well, and realize its importance for the life of the Church and the best interests of the nation—why is it that out of human respect they remain silent or if they speak at all they do so timidly and minimize the facts? Have the boldness and power of the secret

societies reached so far as this that the intelligent statesmen of Italy remain inactive and refrain from discussing this most important problem? Why is it that these do not induce the Government to take the matter up officially with the Holy See, that, once for all, the question settled, the nation may be in a position to enjoy freely the fruits of peace with the Pope? The time is ripe for the settlement of the dissension, and Italy should be able to find within herself courage and power to put an end to that evident disorder which, because of the dissension with the Pope, has stained the life of Italy at home and abroad.

CHAPTER XIII.

FUNDAMENTAL POINTS FOR THE NEGOTIATION AND SETTLEMENT.

THIS is not the place to examine the various practical proposals which might be the subject of discussion in the final negotiations. Nor is this the place to analyze in detail the opinions either of those who argue for a settlement without territory, or of those who would demand an agreement with territory *simpliciter*, that is, in the absolute sense in which the Pope was a Civil Ruler by a two-fold title as explained in Chapter VIII, or of those who would have it with territory *secundum quid*, as explained in Chapter XI. In addition to what has been said in Chapter VIII, however, we must observe that those who desire a solution of the Roman Question without territory, seem to forget that the Papacy according to the com-

mon consent of men is of such transcendent nature that it can operate neither as a guest nor as a tenant nor wherever it is subject to the interference or control of any power whatsoever. They seem to forget, too, that once we exclude the right of the Pope to territory, there would arise the necessity that the Holy See be guarded constantly and protected in its ministry by foreign Powers whose Catholic subjects have little enthusiasm for Italy. Now, the voluntary assignment of territory to the Pope by Italy would be less difficult and more satisfactory than any form of foreign intervention, more satisfactory even than the so-called internationalization of the Law of Guarantees, which in such a case could only be considered if the Law of Guarantees, discussed in Chapter IX, assumed a form substantially different. But even in that event the necessity of a permanent and inviolable territory for the complex and far-reaching duties of the Papacy would still remain.

The common good would require as fundamental that the settlement between the Pope and the State should assume the nature, not so much of a conciliation, as of a reconciliation. That is to say, it should imply a substantial return, if only in part to the *status quo ante* not so much as regards the exercise of civil power based upon that title in force of which like any other earthly ruler the Pope had legitimately exercised it, but rather as regards the civil power based upon that other inalienable title inherent in the exercise of the Papacy to which we referred in Chapter VIII. In a word, we could have between the Pope and the State a species of compromise which would imply a settlement upon the basis of mutual concessions. It

should not be difficult for the Italian Government to open negotiations. If it lived up to its former solemn declarations nothing more would be necessary.

First, it should recognize the Pope as an ultra-national sovereign with the right, not because of any concession of the Italian Government, but because of the natural demands of the Papacy, to be absolutely independent of every earthly ruler.

Secondly, the Government should recognize in the Pope a second right corresponding to his supreme prerogatives; a right, namely, to have at his disposition, independently of any earthly authority, all the means requisite for the free and practical use of his sovereign ministry. This right, too, should be recognized as an innate one, and not as a generous concession as the unfortunate form of the Law of Guarantees would have it.

Thirdly, the Italian Government would have to recognize and acknowledge the independence of the person of the Pope and of his official acts, the independence of his place of residence and of the offices of his government, finally the independence of a portion of territory in keeping with the dignity not so much of a deposed civil ruler as of a reigning sovereign who is in fact the greatest of all sovereigns. Again, this independence must not be considered in the nature of a gift, which would nullify its independent character, but in the nature of a right.

These three points in their general outlines could not be very well modified by the Pope, nor should they encounter any great opposition on the part of the State. They could therefore be accepted as the fundamental basis of the negotiations.

The first two, though matters of right and fact, being abstract and theoretic in character, cannot very well be questioned. All the Powers through their diplomatic relations with the Holy See and in other ways have acknowledged and respected them. Italy herself as we have seen has proclaimed them. A difficulty might arise perhaps in adjusting the practical details of the third point, particularly in determining the nature and extent of the Pope's independence in his person and acts of government as well as the extent of his independence in his place of residence, in the offices of his government and his dominion in the territory belonging to him. No exception, however, could be admitted as regards the independence of the person and acts of government as they come from the Pope. Nor can this independence be properly the subject of discussion without calling into question the supremacy and spiritual authority of the Pope. However, the independence of the Pope in his acts in so far as these, in their practical application in Italy, might conflict with the disposition of the local civil authorities could be regulated by mutual consent, that the efficient execution of these acts might not be subject to delay or other obstacles and difficulties.

The State might readily acknowledge and favor the independence of the Pope as to his residence and the offices of his government, since in the Law of Guarantees, though not in a way altogether satisfactory, she has attempted to make provision for it. This independence, however, could not continue in its present form, but must be recognized as a full and inviolable right implied in the nature of the Papacy, and not dependent upon the favor of the Italian State.

As regards the independent dominion of the Pope due him because of the needs of his office in exchange for the territory that was taken from him, we should remember that it is to serve him for the absolute free and independent exercise of his office. Hence it must be of such a nature that the Pope need not go outside of it for his necessities of life, the means of communication with the various nations, as well as to provide for the needs of those who for any reason even political in nature may be attached to his See. While we may hope and believe that the Pope out of paternal affection will be disposed to make every possible concession within justice, the Italian State on its side must be disposed to take up the question in all calmness for the well-being and honor of the nation, with the determination to be guided, not by the passions of strong emotion, but by the principles of justice. Hitherto the discussion of the Roman Question on the part of the State has not been marked by the proper calmness, but rather, as is well known, by the heat of passion and extravagant phrases inspired by the poisonous spirit of sectarianism. Let us place upon the scales the forcible arguments of law and of fact; let us place thereon the advantages and disadvantages which the various solutions would bring to both sides; and then let us have the honest courage to accept the consequences imposed by truth and justice without allowing ourselves to be swayed by the threats of those who, though they call themselves friends of Italy, yet plot against her life at their secret gatherings and attempt by their guiles to hamper the solution of the most vital and important problems of the nation.

Whatever settlement, therefore, may be arranged

with the Pope, we may rest assured it shall not redound to the detriment of Italy. We may be sure, too, that whatever form the settlement between the Italian Government and the Pope may take on the question of the latter's territorial dominion, whether it be that the Pope is to govern as a Civil Prince absolutely and unconditionally a small portion of Italy, or whether some other solution is reached, neither the formal unity of Italy nor her formal integrity of territory will suffer thereby. In any event, despite all the unfounded and unjust fears and predictions of evil on the subject, it will turn out to be for the best interests of the nation. For if Italy could not be said to be united nor to have territorial integrity as long as one of her villages belonged to a foreign power, on the other hand she could be called and would be one and entire in territory if the Pope were to possess a small portion of her soil, for it would be the Pope and not a foreign Power.*

If under these circumstances no injury would follow from a settlement of the question either to national

* The Roman Question, which has called forth many more or less noteworthy attempts at solution, apart from the mere territorial feature involved, implies the question of the city of Rome itself, where, to quote Dante: *U' siede il successor del maggior Piero (Inferno, II, 24).*

At Rome, since 1871, side by side with the Pope, who as a matter of fact and of right for so many centuries has had his residence therein, wielding from that city his Papal authority for the benefit of the entire world of mankind, there resides too the King of Italy, who, attracted by the historic and political grandeur of Rome, transferred thither his residence from Florence. Under these circumstances, in the settlement of the Roman Question, what would become of Rome?

Our reference to this concrete point of the Roman Question makes no pretence at indicating how the problem is to be ultimately solved, since a definite solution can result only from an amicable discussion between the parties concerned.

We merely wish to recall to mind several solutions which have been

unity or to the formal integrity of Italian territory, but, on the contrary, great advantages would accrue to the nation, what other objection, we may ask, delays the State from turning to the Pope to discover the conditions which he might lay down in the final settlement of this deplorable state of dissension? The Head of Christianity with his supreme authority might perhaps lay down conditions more mild and paternal than those at which we, after an objective study of the Roman Question in all its details, have logically arrived. From our impartial discussion of the subject the following conclusions may now be drawn:

First, the Popes, in demanding the restoration of their kingdom, exercised a right and a duty.

Secondly, in demanding this restoration not in its material integrity but in the measure that it was strictly necessary for their office, they were temperate and generous.

advanced. Among other suggestions it has been proposed that the Pope should retain as his territory a strip of land running along the Tiber to the sea, which would thus mark the division between Rome and Vatican Rome. An almost similar project was proposed by the Italian Government in 1870, at that time residing at Florence. Such a suggestion was mentioned by General R. Cadorna on September 20, 1870, in his acts of capitulation upon his entrance into the Papal city. In virtue of this proposal the Pontiff would have sovereign dominion over *Castel San Angelo* and the *Leonine City*. At that time, however, the Pope, because of the revolution then menacing him, and the actual invasion of the city, not being possessed of means with which to preserve the public peace, neither could nor would entertain this proposal.

Another proposal would have the King of Italy (after the example of the United States, the capital of which as well as the capital of each State is far from the sea and in a location removed from great noise) transfer his seat of government to a more suitable place. Rome, as explained in Chapter XI, in neither of these events would cease to be Italian.

Thirdly, when they invited in so many ways the Italian Government to effect a settlement, promising on their part to make every opportune concession and showing themselves willing to accept a suitable substitute which would efficaciously guarantee their liberty and absolute independence, they were truly paternal.

If the State had corresponded or would now correspond with this noble attitude, Italy would enjoy in consequence great advantages. As long as Italy refuses to satisfy the longings of honest people throughout the world, and continues to prolong the present wrong and abnormal condition of the Holy See and the nation, future generations will hold her accountable for the wrong done and to her they will impute the evils which may or can follow.

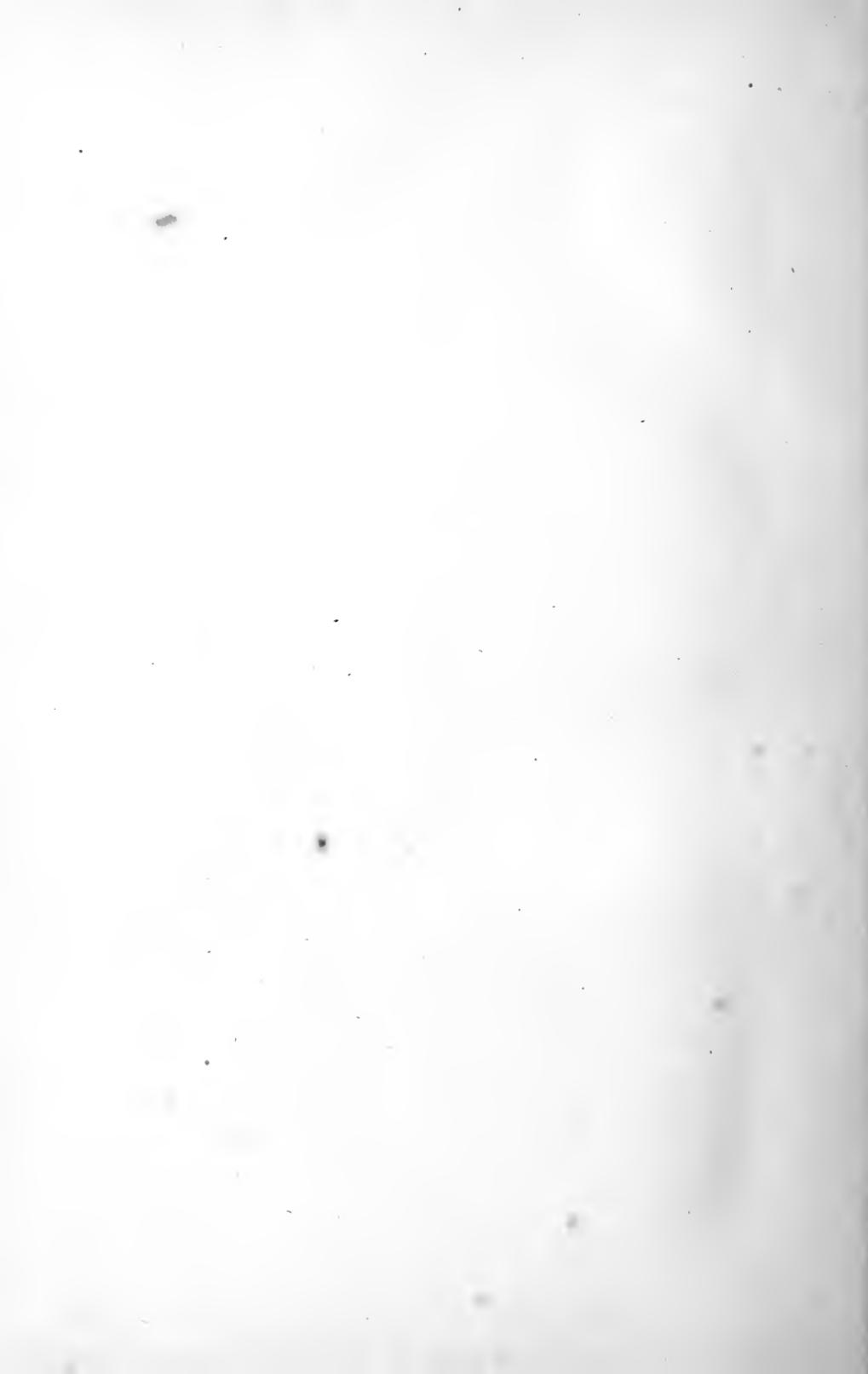
The Roman Question, therefore, should be decided in order to complete an act of sacrosanct justice to Italy's greatest benefactor. It should be so decided that peace may be brought to souls and the legitimate longings of all Christians satisfied. It should be decided for the glory of Italy so privileged by God, that the dishonor, which has attached to her good name so long, may be removed.

May a salutary discussion of the question soon develop among all good men who really love Italy and particularly among the members of Catholic societies, who should incorporate, as an essential part of their program, the reconciliation of the nation with the Pope. Although in the Pope resides the exclusive right to determine the manner and conditions of reconciliation and to state what form will be most consistent with the immortal interests of the Church, nevertheless it is the duty of every subject of his to do all he can to bring

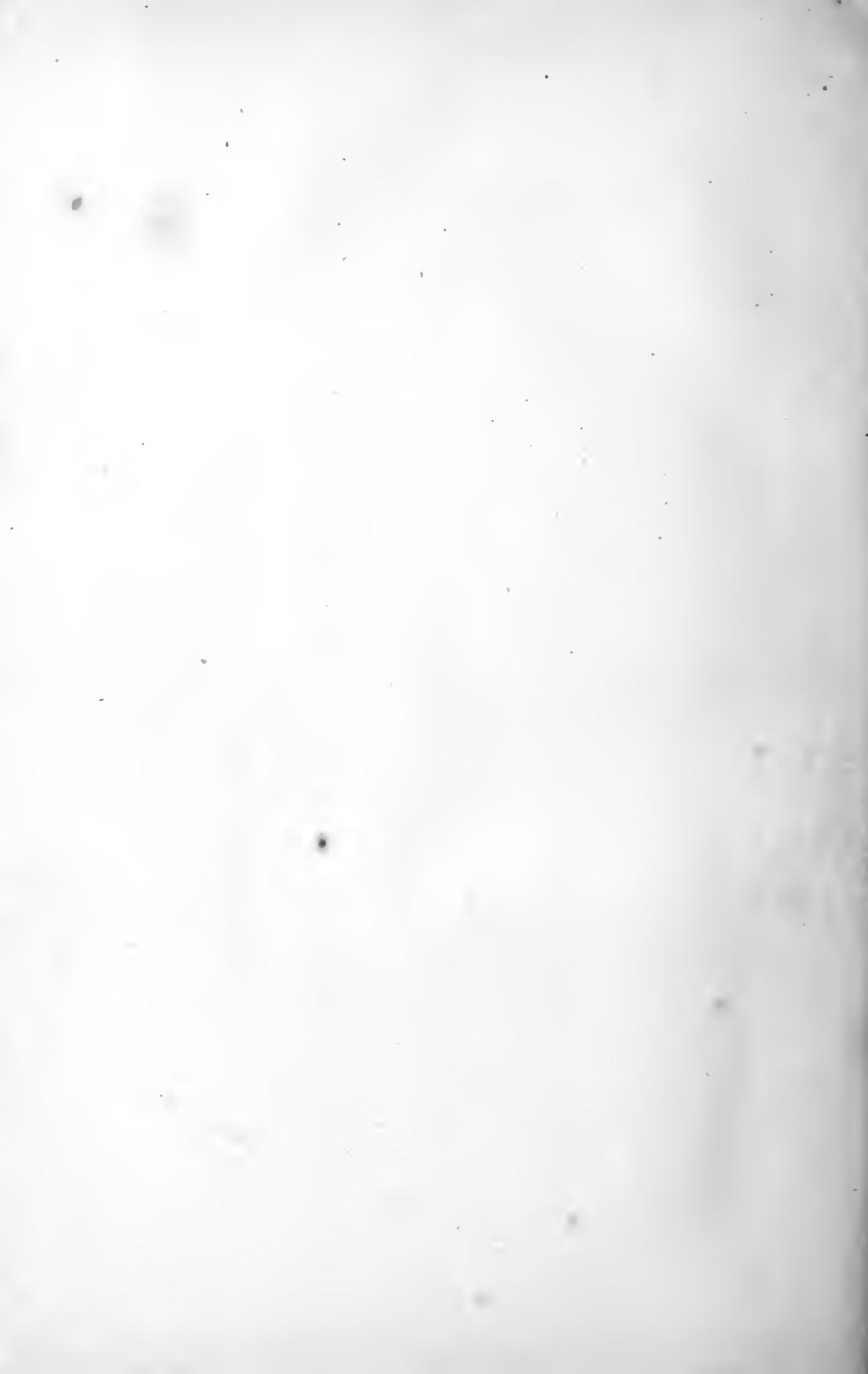
about this reconciliation which implies the triumph of justice. Unfortunately, the opponents of a reconciliation, fearful at the thought that it may be accomplished, are working hard in secret and with daring impudence constantly endeavor in bitter articles of the press to distort the Roman Question, even going so far as to charge Catholics with the fact of its existence. In this way they succeed in deceiving many, causing them to believe that a solution of the problem would be of interest only to the Pope, concealing from them the fact that the moral and political life of Italy, both within and without the nation, has been affected by the consequences of the unfortunate dissension.

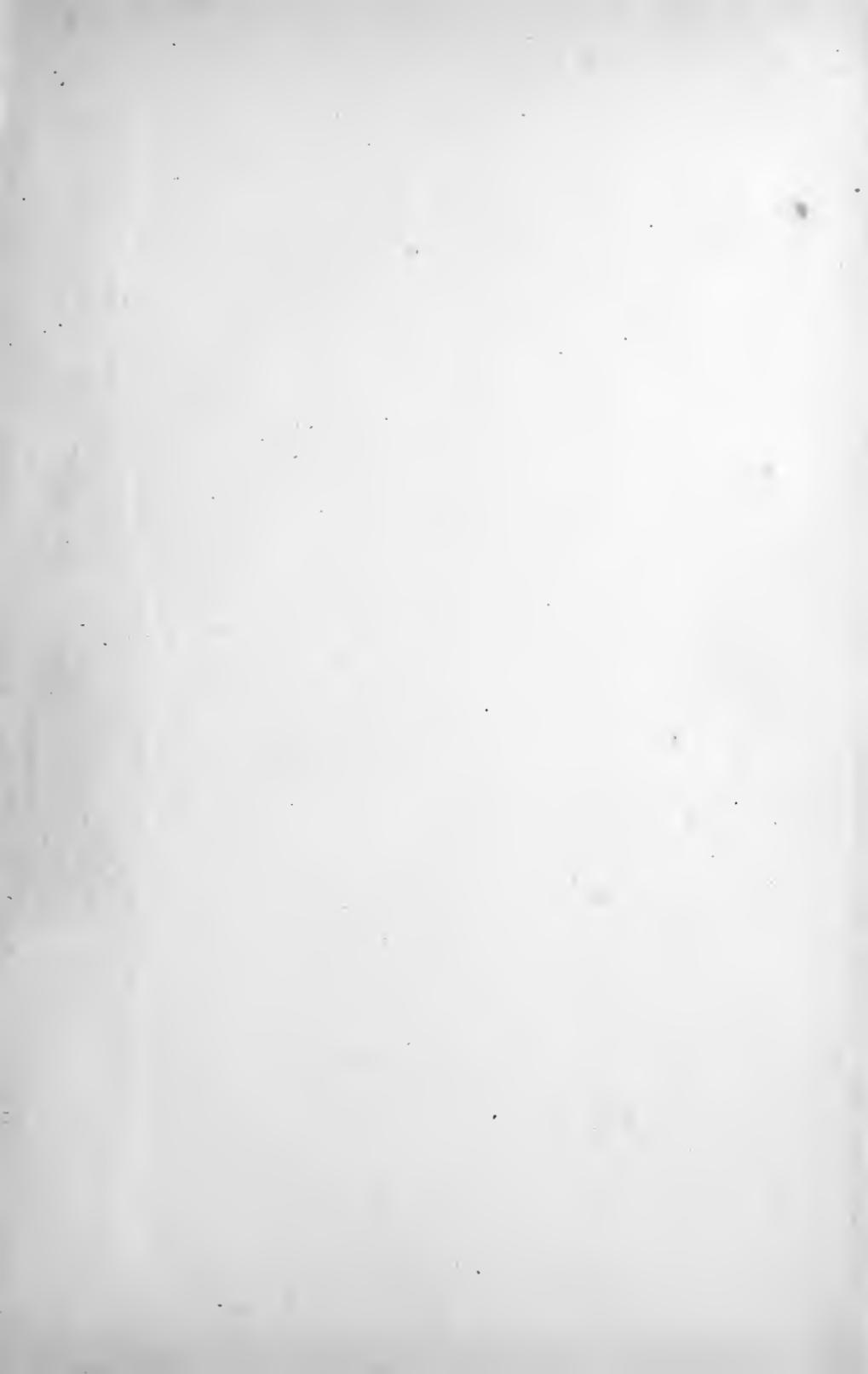
May God grant that able men may take up this serious problem and press it to solution! What great joy would not fill the earth the day in which it could be announced that Italy had become reconciled with the Pope, and that the Pope had extended over her his hand in benediction! That day would surely mark the beginning of a new era for Italy, rich in its promises of honor and glory.

LbAg 20









LIBRARY OF CONGRESS



0 028 072 096 3